

1-cent letter postage; to the Committee on the Post Office and Post Roads.

By Mr. FESS: Petition of sundry citizens of New Orleans and Louisiana and the Cleveland Chamber of Commerce, of Cleveland, Ohio, relative to control of the Mississippi River to prevent floods; to the Committee on Rivers and Harbors.

Also, petitions of M. B. Paddock, Alice Paddock, and Irene Wehrle, of Cincinnati, Ohio, favoring clause prohibiting the importation of aigrettes, etc.; to the Committee on Ways and Means.

Also, petition of the Southern New England Textile Club, of Providence, R. I., against reduction of the duty on cotton goods, etc.; to the Committee on Ways and Means.

Also, petition of the Traffic Club of New York, favoring an appropriation for the continuance of the Commerce Court; to the Committee on Appropriations.

Also, petition of sundry union printers of North America, regarding free speech and free press; to the Committee on the Judiciary.

By Mr. FITZGERALD: Petition of the National Broom Manufacturers' Association, of Davenport, Iowa, protesting against any reduction of the duty on brooms; to the Committee on Ways and Means.

Also, petition of sundry citizens of New Orleans and Louisiana, favoring the passage of the Newlands river-regulation bill; to the Committee on Rivers and Harbors.

Also, petition of the Traffic Club of New York City, favoring an appropriation for the continuance of the Commerce Court; to the Committee on Appropriations.

Also, petition of the joint advisory board of the Cigar Makers' International Union of America, protesting against free cigars from the Philippines; to the Committee on Ways and Means.

By Mr. GARDNER: Petition of George M. Halliburton, of Roslindale, Mass., protesting against the creation of a committee on public health in the House of Representatives; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Beverly Board of Trade, indorsing movements of the American Embassy Association relative to securing permanent homes for our ambassadors; to the Committee on Foreign Affairs.

By Mr. GARNER: Papers to accompany bill (H. R. 5863) for the relief of Frank Church; to the Committee on Claims.

By Mr. HINDS: Petition of the Chamber of Commerce of Rumford, Me., protesting against the reduction of the tariff on paper, etc.; to the Committee on Ways and Means.

By Mr. JOHNSON of Washington: Petition of the Montezano Chamber of Commerce, of Montezano, Wash., protesting against the immediate reduction of letter postage; to the Committee on the Post Office and Post Roads.

By Mr. LOBECK: Petition of sundry citizens of Omaha, Nebr., protesting against a public health committee in the House of Representatives; to the Committee on Interstate and Foreign Commerce.

By Mr. MOTT: Petition of the Southern New England Textile Club, protesting against reduction of the duty on cotton goods; to the Committee on Ways and Means.

Also, petition of Local No. 148, International Brotherhood of Paper Makers, of Lyons Falls, N. Y., protesting against reduction of the duty on paper; to the Committee on Ways and Means.

By Mr. TREADWAY: Petition of the Massachusetts Peace Society, protesting against the fortification of the Panama Canal; to the Committee on Appropriations.

By Mr. UNDERHILL: Petition of sundry citizens of New Orleans and Louisiana, favoring the passage of the Newlands river-regulation bill; to the Committee on Rivers and Harbors.

Also, petition of the Traffic Club of New York, favoring an appropriation for the continuance of the Commerce Court; to the Committee on Appropriations.

SENATE.

THURSDAY, June 5, 1913.

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

The Vice President being absent, the President pro tempore (Mr. CLARKE of Arkansas) took the chair.

Mr. JONES. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

| | | | |
|---------|-----------|-------------|--------------|
| Ashurst | Brandegee | Catron | Clark, Wyo. |
| Bacon | Eristow | Chamberlain | Clarke, Ark. |
| Borah | Bryan | Chilton | Crawford |
| Brady | Burton | Clapp | Cummins |

| | | | |
|----------------|----------------|--------------|--------------|
| Dillingham | Lane | Pomeroy | Smith, S. C. |
| du Pont | Lea | Ransdell | Smoot |
| Fall | Lewis | Reed | Stephenson |
| Fletcher | Lodge | Robinson | Sterling |
| Gronna | McCumber | Root | Swanson |
| Hitchcock | Martin, Va. | Saulsbury | Thomas |
| Hollis | Martine, N. J. | Shafroth | Thompson |
| Hughes | Nelson | Sheppard | Townsend |
| James | Norris | Sherman | Vardaman |
| Johnson, Me. | O'Gorman | Shields | Walsh |
| Johnston, Ala. | Oliver | Shively | Warren |
| Jones | Overman | Simmons | Works |
| Kanyon | Owen | Smith, Ariz. | |
| Kern | Perkins | Smith, Ga. | |

Mr. TOWNSEND. The senior Senator from Michigan [Mr. SMITH] is unavoidably absent from the city. He is paired on all questions with the junior Senator from Missouri [Mr. REED]. I desire to have this announcement stand for the day.

The PRESIDENT pro tempore. Seventy Senators have answered to their names. A quorum of the Senate is present. The Secretary will read the Journal of the preceding session.

Mr. BORAH. I ask unanimous consent that the reading of the Journal be dispensed with.

The PRESIDENT pro tempore. Is there objection?

Mr. JONES. I object.

The PRESIDENT pro tempore. Objection is made, and the Journal will be read.

The Journal of the proceedings of Monday last was read and approved.

PERSONAL EXPLANATION—AMENDMENT OF THE RULES.

Mr. SAULSBURY. Mr. President, I rise to a question of personal privilege.

The PRESIDENT pro tempore. The Senator from Delaware will state the question of personal privilege.

Mr. SAULSBURY. In the RECORD of Monday's proceedings, I find it stated that the Senator from Massachusetts [Mr. LODGE] announced a pair between the junior Senator from Rhode Island [Mr. COLE] and myself, after which I appear as having voted on the question of reconsidering the amendment of the rules. In order that the RECORD may be correct I merely wish to state, so far as I am individually concerned, that the understanding as to the pair between the junior Senator from Rhode Island and myself was that we would protect each other on political questions, and I did not consider that I was paired on that subject.

The PRESIDENT pro tempore. The explanation made by the Senator from Delaware will be noted in the RECORD.

DISPOSITION OF USELESS PAPERS (H. DOC. NO. 58).

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, schedules of papers, documents, etc., on the files of the Treasury Department which are not needed in the transaction of public business and have no permanent value or historical interest. The communication and accompanying papers will be referred to the Joint Select Committee on the Disposition of Useless Papers in the Executive Departments, and the Chair appoints the Senator from Vermont [Mr. PAGE] and the Senator from Oregon [Mr. LANE] members of the committee on the part of the Senate. The Secretary will notify the House of Representatives of the appointment of the committee.

PETITIONS AND MEMORIALS.

Mr. OLIVER presented a memorial of the Lancaster County Tobacco Growers' Association, of Pennsylvania, remonstrating against the importation free of duty of cigars from the Philippine Islands, which was referred to the Committee on Finance.

He also presented a petition of sundry citizens of Washington, Pa., praying for the enactment of legislation prohibiting the interstate transportation of opium and cocaine except for medicinal purposes, which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Presbyterian Church of New Alexandria, Pa., praying for the adoption of an amendment to the Constitution to prohibit polygamy, which was referred to the Committee on the Judiciary.

Mr. STERLING. I present a memorial signed by citizens of South Dakota, relative to the proper observance of Sunday as a day of rest in the District of Columbia. I ask that the petition be printed in the RECORD, omitting the signatures, and that it be referred to the Committee on the District of Columbia.

There being no objection, the petition was referred to the Committee on the District of Columbia and ordered to be printed in the RECORD, omitting the signatures, as follows:

PETITION TO UNITED STATES SENATE.

To the honorable the Senate of the United States:

Believing—

(1) In the separation of church and state;

(2) That Congress is prohibited by the Constitution from enacting any law enforcing the observance of any religious institution, or look-

ing toward a union of church and state, or of religion and civil government;

(3) That any such legislation is opposed to the best interests of both church and state; and

(4) That the first step in this direction is a dangerous step, and should be opposed by every lover of liberty:

We, the undersigned, adult residents of the State of South Dakota, earnestly petition your honorable body not to pass the Johnston Sunday bill, S. 752, entitled "A bill for the proper observance of Sunday as a day of rest in the District of Columbia," or any like measure.

Mr. MARTINE of New Jersey presented a resolution adopted by the Board of Street and Water Commissioners of Newark, N. J., remonstrating against the abandonment of the port of Newark and its consolidation with the port of New York, which was referred to the Committee on Commerce.

Mr. ROOT. I present a telegram, in the nature of a memorial, from the Fruit Importers' Union, of New York City, relative to the proposed change in the capacity of lemon boxes as provided for in the pending tariff bill. I move that the telegram be referred to the Committee on Finance.

The motion was agreed to.

Mr. SHERMAN presented a petition of sundry veterans of the Civil War, residents of the State of Illinois, praying for the repeal of the law suspending the so-called arrearage pension act, which was referred to the Committee on Pensions.

Mr. BRISTOW presented a petition of the congregation of the Quinton Heights Baptist Church, of Topeka, Kans., praying for the enactment of legislation to prohibit the interstate transportation of opium and cocaine except for medicinal purposes, which was referred to the Committee on the Judiciary.

Mr. BRANDEGEE. I send to the desk a resolution adopted by the Merchants' Association of the State of Connecticut, and ask that it be read. It is a very brief resolution.

There being no objection, the resolution was read and referred to the Committee on Finance, as follows:

The Merchants' Association of Connecticut, in annual convention assembled, with members represented in every city of the State, have—

Resolved, That in view of the reduction in customs which will be effected by the tariff bill now under discussion by Congress, and the fact that the retail merchants must at all times carry much merchandise in advance of their immediate requirements, and in view of the fact that a great deal of this merchandise will be lowered in price by the passage of this tariff measure now under consideration: Therefore be it further

Resolved, That an earnest request be made to all the Senators and Representatives of the State of Connecticut in Congress that a period of four months be allowed between the time of the enactment of this new tariff measure and its enforcement, thereby giving time to the retail merchant to dispose of much of his stock on hand and arrange his requirements to avoid excessive loss through the enforcement of the new tariff law without sufficient time to adjust stock to new conditions.

ADMINISTRATIVE FEATURES OF THE NEW TARIFF BILL (S. DOC. NO. 53).

Mr. LODGE. I ask to have printed as a Senate document an article from the New York Journal of Commerce of May 28, 29, and 31, in regard to certain administrative features of the tariff bill. It is a very short article.

The PRESIDENT pro tempore. Is there objection? There being no objection, the request of the Senator from Massachusetts will be granted.

SUGAR INDUSTRY OF MICHIGAN.

Mr. REED. I ask to have printed in the RECORD an article from the Detroit (Mich.) News, dated April 25, 1913, bearing upon the sugar industry of that State.

There being no objection, the article was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

[From the Detroit News, Apr. 25, 1913.]

BUYERS OF MICHIGAN SUGAR CO. STOCK PAID \$5,000,000 FOR GOOD WILL—LESS THAN HALF THE STOCK SOLD IS REPRESENTED BY TANGIBLE PROPERTY—EXACTLY \$4,500,000 WAS ADDED TO THE "VALUE" OF THE "GOOD WILL" IN A SINGLE YEAR—SUGAR TRUST NOW OWNS MOST OF PREFERRED STOCK, WHICH HAS FIRST TITLE TO PROPERTY THAT NOW EXISTS.

When buyers of stock of the Michigan Sugar Co. invested their money they got \$5,000,000 worth of "good will" for their cash.

They also invested \$909,165.90 in stock that is represented by no value at all, either tangible or intangible.

The value of the tangible holdings of the company do not amount to one-half the amount of stock sold.

The last report of the financial condition of the company, filed with the secretary of state (July 3, 1912), shows the following "assets":

| | |
|--|----------------|
| Real estate | \$2,994,217.41 |
| Goods, chattels, merchandise, materials, and other tangible property | 1,509,007.13 |
| Cash on hand and in banks | 275,171.05 |
| Good will | 5,000,000.00 |
| Credits due company | 487,038.51 |

Total.....10,265,434.10

The stock issues of the company are listed as follows:

| | |
|-----------------------------------|----------------|
| Common stock sold and paid for | \$7,471,100.00 |
| Preferred stock sold and paid for | 3,703,500.00 |

Total.....11,174,600.00

The "good will" of the company was carried on the books at \$500,000 until 1909, when \$4,500,000 more was added to this item, making the total \$5,000,000.

Taking the "good will" out of the assets it leaves \$5,265,434.10 of tangible property.

It means that the Michigan Sugar Co. was doing business with that amount of real value, was formed with an authorized capitalization of \$12,500,000, of which stock \$11,174,600 was sold and paid for.

That means for every \$100 of stock sold only \$47 of real property was put into the company.

The question that naturally interests the men, their wives, daughters, and sons who have invested in the common stock of this company is, What is the real value of their holdings now?

The preferred stock comes in first. There is \$3,703,500 of this stock out. More than half of this preferred stock is owned by the Sugar Trust—to be exact, \$2,043,800 worth.

Deducting the preferred stock from the tangible property and the following is reached:

| | |
|----------------------------|----------------|
| Value of tangible property | \$5,265,434.10 |
| Amount of preferred stock | 3,703,500.00 |

Difference.....1,561,934.10

Against this value of \$1,561,934.10 over and above the preferred stock there has been \$7,471,100 worth of common stock sold and paid for.

That is, for every dollar of value in property above the preferred stock there has been \$5 of common stock sold. This common stock is held by the "investing public."

The amount of stock sold in excess of the tangible value of the property is \$5,909,165.90.

At the company's office in this city the News was told that the company did not care to give out to the public the amounts that had been paid in dividends.

"I don't think it is a matter that interests the public," said Secretary Douglas. "The statement of dividends concerns the stockholders only."

With the sugar companies asking that the tariff on their product be continued and that the public pay for it, there is much interest at this time.

With the company refusing to give exact information, the nearest accurate statement available is from the evidence given by Charles B. Warren, president of the company, before the congressional committee.

In 1906 the company was formed with \$4,644,153.26 worth of property.

This was capitalized at \$12,500,000 and \$9,245,755 of stock issued on the property that year.

The company, for the first four years, paid 6 per cent dividends on the preferred stock and 6 per cent one year and 7 per cent another year on the common stock, had a surplus left of about \$3,000,000, making the total profit of about \$4,000,000 for the four years, or about \$1,000,000 a year. The surplus was afterwards distributed among the stockholders in the shape of stock dividends.

The investment (in round figures) of \$5,000,000 paid 11 per cent on a capitalization of \$9,000,000.

Here is where the tariff comes into the question and is of vital interest to both holders of sugar stock and buyers of sugar for table use.

The Democrats figure if a company goes into business with an investment of \$5,000,000 and gets 6 per cent on the investment it does fairly well.

Six per cent on the \$5,000,000 invested in the Michigan Sugar Co. would produce an annual dividend amounting to \$300,000.

To raise 6 per cent on the \$5,000,000 of assets classed as "good will" would require another \$300,000 a year, but, according to Mr. Warren, the company was able to raise both items during each of the first four years and have \$400,000 a year besides.

Mr. Warren's testimony covered up to 1910. What the company's profits have been since then can not be stated, as the officers in charge refuse the information.

The Democrats figure that if the company can pay the profits it did under the tariff, it can pay a reasonable profit without the tariff, and that the \$300,000 asked for dividends on "good will" should remain in the hands of the consumers by reducing the price of sugar.

The Republicans claim to take the tariff off will injure the industry and reduce the profit to nothing.

Charles B. Warren, the president of the Michigan Sugar Co., who unloaded most of his holdings in the company before the recent slump in market price of stock, reducing his interest from \$455,000 to \$84,000, has invested in a Minnesota sugar factory.

A statement sent out by the Wholesale Grocers' Committee on holdings of the Sugar Trust says:

"In 1912 the Sugar Trust announced the sale of its holdings in the Carver County Sugar Co. (Minnesota) to Charles B. Warren, president of the Michigan Sugar Co. The effect of this transfer was a change of name to the Minnesota Sugar Co., and the increase in the capital stock from \$600,000 under the trust to \$1,200,000 under Mr. Warren and the rest of his associates of the Michigan Sugar Co. The officers of the Iowa Sugar Co., with one or two exceptions, are either officers or directors of the Michigan Sugar Co."

We desire to point out that none of the beet-sugar companies, who are so earnestly asking for the privilege of taxing the American people through a high tariff, have coupled with their pleadings a statement of their earnings for, say, the last three years, so that these might be compared with their actual investment.

REPORTS OF COMMITTEES.

Mr. McCUMBER, from the Committee on Foreign Relations, to which was referred the bill (S. 2318) authorizing the appointment of envoys extraordinary and ministers plenipotentiary to each Paraguay and Uruguay, reported it without amendment and submitted a report (No. 55) thereon.

Mr. CHAMBERLAIN, from the Committee on Public Lands, to which was referred the bill (S. 49) to provide for the exchange with the State of Oregon of certain school lands and indemnity rights within the national forests of that State for an equal area of national-forest land, reported it with amendments and submitted a report (No. 56) thereon.

Mr. SHEPPARD, from the Committee on Commerce, to which was referred the bill (S. 1353) to authorize the board of county

commissioners of Okanogan County, Wash., to construct and maintain a bridge across the Okanogan River at or near the town of Malott, reported it without amendment.

Mr. O'GORMAN, from the Committee on Foreign Relations, to which was referred the bill (S. 2319) authorizing the appointment of an ambassador to Spain, reported it without amendment and submitted a report (No. 58) thereon.

Mr. FLETCHER. I am directed by the Committee on Military Affairs, to which was referred the joint resolution (S. J. Res. 15) for the relief of Edward L. Keyes, to report it adversely, and I ask that the joint resolution be postponed indefinitely.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. FLETCHER. I am directed by the Committee on Military Affairs, to which the subject was referred, to report a resolution (S. Res. 100) directing the Committee on Military Affairs of the Senate to accord a hearing to Edward L. Keyes, formerly a second lieutenant of the Fifth United States Cavalry, and I submit a report (No. 59) thereon.

The PRESIDENT pro tempore. The resolution will be placed on the calendar.

REORGANIZATION OF THE CUSTOMS SERVICE.

Mr. FLETCHER. From the Committee on Commerce I report back favorably with amendments the bill (S. 2258) to extend the proposed reorganization of the customs service for a period of two years, and I submit a report (No. 57) thereon, which I ask may be read. I will then ask unanimous consent for the consideration of the bill.

The PRESIDENT pro tempore. The Senator from Florida presents a report from the Committee on Commerce, which will be read unless there is objection.

Mr. JONES. Do I understand the Chair to ask whether there is any objection?

The PRESIDENT pro tempore. Yes.

Mr. JONES. I desire to object.

The PRESIDENT pro tempore. The question is, Shall the report be read? [Putting the question.]

Mr. JONES. I have no objection to the reading of the report.

The PRESIDENT pro tempore. The ayes have it, and the Secretary will read the report.

The Secretary read the report this day submitted by Mr. FLETCHER from the Committee on Commerce, as follows:

[Senate Report No. 57, Sixty-third Congress, first session.]

COMMITTEE REPORT.

The Committee on Commerce having had under consideration S. 2258, entitled "A bill to extend the proposed reorganization of the customs service for a period of two years," submit the following report. The committee caused a copy of the bill to be submitted to the Secretary of the Treasury, with the request that he furnish the committee with such information as is shown by the records of his office relating to the necessity for the enactment of any such legislation at this time. The Secretary has stated his views in a communication, which is as follows:

TREASURY DEPARTMENT,
Washington, June 3, 1913.

Hon. JAMES P. CLARKE,
Chairman Committee on Commerce, United States Senate.

SIR: I have the honor to acknowledge the receipt of your communication of the 29th ultimo, submitting bill S. 2258 for comments and recommendations.

The plan of reorganization adopted by the President on March 3 last provides for an organization of the customs service which, on the whole, is an improvement on the present arrangement of customs districts and ports. There are some objections to the plan which could undoubtedly be overcome if the time should be extended for putting it into operation.

The reorganization as adopted is an extension of the plan followed by Congress in the creation of the present Puget Sound district, which includes the whole of the State of Washington and comprises 22 ports, with headquarters at Port Townsend, Seattle. In this district, collects about one and one-half million dollars in duties and has exports of over twenty-two millions. Some of the ports are seaports and others are frontier ports, and all phases of customs practice are presented. The large volume of business in this district is transacted with expedition and with great economy, and the plan followed in the reorganization is, therefore, not an experiment.

The department has received a number of communications from various Senators and Representatives in Congress, boards of trade, chambers of commerce, and individuals adverse to the proposed reorganization, but most of these protests have been based either on erroneous conceptions of the actual working of the plan or upon feelings of local pride. They do not alone, in my opinion, present valid or serious grounds for deferring the operations of the reorganization.

However, the plan has also been subjected to the criticism that it does not comply with the law, in that the estimate of expenditures under it is in excess of \$10,150,000, the amount which, under a strict construction of the act, might possibly be considered as the maximum amount authorized. While this criticism may be unsound as a matter of law, still, in view of its existence, and of the further fact that the reorganization as adopted by the President does not comprehend several administrative changes in the customs service which should be included in order to make a thorough and efficient organization, I have the honor to recommend that the bill be passed subject to the following amendments:

First. That the time of the taking effect of the reorganization be postponed to January 1, 1914, instead of July 1, 1915; and

Second. That the limitation placed upon the estimate of expenditures shall be to an amount not in excess of the amount actually expended for such service in the fiscal year 1913, less \$500,000. As thus amended it would read as follows, in which form I recommend that it be adopted:

"A bill to extend the proposed reorganization of the customs service for a period of six months.

"Be it enacted, etc., That the time for the execution of the provisions of chapter 355 of the Statutes at Large, entitled 'An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1913, and for other purposes,' approved August 24, 1912, in so far as they relate to the reorganization of the customs service, shall be extended until January 1, 1914.

"That estimates submitted in compliance with such provisions shall be on account of the second half of the fiscal year 1914, and the reorganization ordered by such provisions shall constitute for the second half of the fiscal year 1914 and, until otherwise provided by Congress, the permanent organization of the customs service: *Provided*, That the estimates to be submitted therefor shall show a reduction in the total cost of such service per annum to an amount not in excess of the amount actually expended for such service in the fiscal year 1913, less \$500,000."

In view of the shortness of time before the 1st of July, I beg to suggest that if any action is to be taken in this regard it be expedited as far as possible.

Respectfully,

W. G. McADOO, Secretary.

The committee finds that there is a very general complaint about the manner in which the customs districts in the country were reorganized under the order made by President Taft just before he retired from the Presidency. Though indicating no opinion as to whether or not these complaints are justified to an extent that requires the intervention of Congress, the committee has reached the conclusion that it will best promote the public service to afford a period when such complaints may be thoroughly investigated, to the end that such as are found to be meritorious may be corrected by Executive action. Without imputing fault to anyone, the committee is inclined to believe that the order promulgated by the President reorganizing the customs district was, from necessity, prepared under conditions where more or less haste was required, and, as a consequence, several features of the order are challenged by interested persons and localities as being unfair and imprudent. The committee feels that no serious injury will come to the public service by continuing the Executive character of the process of reorganization until the 1st of January, 1914.

The committee accordingly recommends that the bill be amended by striking out all after the enacting clause and inserting in lieu thereof the form of bill suggested by the Secretary, except as modified by the committee. The modification suggested by the committee is that instead of the words "execution of" the words "performance by the President of the acts and things authorized to be done and performed by him under" be substituted, so that the provision will read:

"That the time for the performance by the President of the acts and things authorized to be done and performed by him under the provisions of chapter 355 of the Statutes at Large," etc.

The committee further recommends that the title of the bill be amended by striking out the words "two years" and inserting in lieu thereof the words "six months," and that the bill as so amended and modified do pass.

Mr. FLETCHER. I understand the Senator from Washington objects to the present consideration of the bill?

Mr. JONES. I am very sorry to do so, but I feel compelled to object to its present consideration.

The PRESIDENT pro tempore. Objection is made, and the bill goes to the calendar.

Mr. FLETCHER. Under the objection, I presume the bill will have to go over until to-morrow. Then I shall move to take up the bill at the earliest opportunity.

HEARINGS BEFORE THE COMMITTEE ON COMMERCE.

Mr. SHAFROTH. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to which was referred Senate resolution 97, authorizing the Committee on Commerce or any subcommittee thereof to hold hearings, and so forth, submitted by Mr. CLARKE of Arkansas on the 29th ultimo, to report it with amendments; and I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The Chair asks the Senator from Colorado to let the resolution go over. The committee of which the Chair is chairman is interested in the matter. The Chair does not know the extent of the amendments which have been reported, and until opportunity is afforded him to make the examination he asks that the matter go over.

Mr. SHAFROTH. Very well.

ESTATE OF WILLIAM W. ST. JOHN.

Mr. SHAFROTH. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably with an amendment Senate resolution 96, submitted by the Senator from New Jersey [Mr. MARTINE] on the 29th ultimo, and I ask unanimous consent for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendment was, in line 3, after the words "Senate to," to strike out "Lucy St. John Tate, sister," and insert "the executor, administrator, or legal heirs."

The amendment was agreed to.

The resolution as amended was agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay out of the contingent fund of the Senate to the executor, administrator, or legal heirs of William W. St. John, late assistant clerk to the Committee on Coast Defenses of the United

States Senate, a sum equal to six months' salary at the rate he was receiving by law at the time of his death, said sum to be considered as including funeral expenses and all other allowances.

PROPOSED INTRODUCTION OF BILLS.

Mr. NELSON. I desire to introduce the bills which I send to the desk.

Mr. JONES. Mr. President, under Rule XIV, I desire to object to the introduction of any bills to-day. I ask that bills may go over until to-morrow.

The PRESIDENT pro tempore. That is the Senator's privilege. Objection is made.

Mr. BRISTOW. I introduce certain bills which I send to the desk.

The PRESIDENT pro tempore. Unless there is objection, they will be considered as read the first and second times and appropriately referred.

Mr. JONES. I desire to object to the introduction of the bills.

The PRESIDENT pro tempore. The Senator from Washington objects to the introduction of the bills. They will therefore lie over.

Mr. McCUMBER. I offer sundry bills for reference.

Mr. JONES. I shall have to ask that they go over.

The PRESIDENT pro tempore. Objection being made to the introduction of the bills, under the rule they will have to lie over one day.

Mr. SMITH of South Carolina. I introduce a bill to regulate the immigration of aliens to and the residence of aliens in the United States.

Mr. JONES. I ask that the bill go over.

The PRESIDENT pro tempore. The Senator from Washington objects to the introduction of the bill, and under the rule it will go over for one day.

Mr. SHEPPARD. I introduce two bills for reference.

Mr. JONES. Mr. President, I desire to object.

The PRESIDENT pro tempore. The Senator from Washington objects, and under the rule the bills will lie over for a day.

Mr. SAULSBURY. Mr. President, I desire to introduce a bill to waive the age limit for admission to the Pay Corps of the United States Navy in the case of Theodore S. Coulbourn.

Mr. JONES. I shall have to ask that the bill go over.

The PRESIDENT pro tempore. The Senator from Washington objects, and under the rule the bill will lie over for one day.

CALLING OF THE ROLL.

Mr. JONES. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Washington suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

| | | | |
|--------------|----------------|----------------|--------------|
| Ashurst | Fall | Martin, Va. | Shively |
| Bacon | Fletcher | Martine, N. J. | Simmons |
| Brady | Gronna | Nelson | Smith, Ariz. |
| Brandeggee | Hitchcock | Norris | Smith, S. C. |
| Bristow | Hollis | O'Gorman | Smoot |
| Bryan | Hughes | Oliver | Stephenson |
| Burton | James | Overman | Sterling |
| Cañon | Johnston, Ala. | Owen | Stone |
| Chamberlain | Jones | Perkins | Swanson |
| Chilton | Kenyon | Pomerene | Thomas |
| Clapp | Kern | Ransdell | Thompson |
| Clark, Wyo. | La Follette | Robinson | Thornton |
| Clarke, Ark. | Lane | Root | Townsend |
| Crawford | Lea | Saulsbury | Vardaman |
| Cummins | Lewis | Shafroth | Warren |
| Dillingham | Lodge | Sheppard | Works |
| du Pont | McCumber | Sherman | |

Mr. DILLINGHAM. I desire to announce that my colleague [Mr. PAGE] is absent from the city upon business of the Senate. I make this announcement for the day.

The PRESIDENT pro tempore. Sixty-seven Senators have answered to their names. A quorum of the Senate is present.

THE TARIFF.

Mr. BORAH submitted an amendment intended to be proposed by him to the bill (H. R. 3321) to reduce tariff duties and provide revenue for the Government, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

Mr. BURTON submitted an amendment intended to be proposed by him to the bill (H. R. 3321) to reduce tariff duties and provide revenue for the Government, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

EXCISE TAX ON TOBACCO MANUFACTURES.

Mr. HITCHCOCK. I desire to submit an amendment to the pending tariff bill in order that it may be printed.

Mr. JONES. If it is simply an amendment I take it that it does not come under the objection that I am making.

Mr. HITCHCOCK. Mr. President, before I yield the floor I desire to say that this amendment is the same amendment which I offered a year ago to the then pending excise bill, which was sent here by the House of Representatives. It embodies the recent recommendation of the Attorney General in favor of a graduated excise tax upon the products of companies engaged in the manufacture of tobacco, snuff, and cigarettes. It is designed not only to raise revenue by levying a high tax upon the great corporations that practically dominate the market at the present time but it is designed also as a regulatory measure so to handicap those great concerns that the lesser concerns, the independent companies, may have an opportunity to live.

Congress made a serious effort when it passed the Sherman antitrust law to destroy monopolies, and when the Supreme Court of the United States declared that the Tobacco Trust was a monopoly, and that it came under the provisions of that law, the country fondly hoped that the monopoly would be destroyed; but through a blunder or through inadvertence or through some other cause that decision of the Supreme Court was practically nullified. In the final work of drafting the decrees of dissolution the Department of Justice made a woeful blunder. This received the approval of the President and permitted that great Tobacco Trust practically to be divided into four associate trusts, owned by the same stockholders and controlled by the same men. Those great companies have continued since that time to operate and control the market as fully and with as enormous profits as did the original trust, and the question is whether the people of the United States and the Congress of the United States shall permit that condition to continue without any effort to remedy it.

It is probably impossible for the present administration to interfere with the decree of the court as it has been entered, but it is possible in a summary way for Congress to use its great powers of taxation to regulate, if not to destroy, the several great associate trusts, just as the power of taxation has been used on previous occasions to destroy. It was used to destroy issues of State banks and to check and handicap the oleomargarine industry for the benefit of the dairy interests. Only a year or two ago Congress used its great power of taxation to kill the manufacture of poisonous matches.

So, Mr. President, I have drawn this amendment at this session in practically the same language in which I drew it at the session a year ago, proposing to exempt from its operations the products of those companies which are on a competitive basis, those companies which are doing business in a legitimate way, but so designed as to fall upon the great concerns whose monopoly power is so great that they are gradually wiping out the competition that still lingers in the manufacture of tobacco.

Mr. President, this amendment is not drawn so as to provide for littleness; it is not drawn so as to destroy manufacture upon a large scale and in an efficient way. I exempt, for instance, from this tax a tobacco product up to 80,000,000 pounds a year. Any concern that manufactures even so great a product as 80,000,000 pounds of tobacco a year will pay nothing except the ordinary tax of 8 cents a pound; but if its manufacture goes beyond that point and exceeds 25 per cent of the total product of the whole country, then it becomes subject to this tax. The extra tax is graduated. Upon the first 4,000,000 pounds over the 80,000,000 pounds the tax is 1 cent a pound; upon the next 4,000,000 pounds it is 2 cents a pound; and so it is graduated up until it reaches 6 cents a pound, which is practically prohibitory. Any company now existing which manufactures such a quantity as would subject it to the 6 cents a pound extra tax would be compelled, under the operations of this proposed law, to dissolve itself as a financial necessity, if not by the decree of the court, and sell its factories to companies that would operate in a legitimate way in competition. A real dissolution would be achieved.

So with cigarettes. The total manufacture of cigarettes in this country is about 10,000,000,000 a year. I propose in this amendment to exempt from additional taxation any company manufacturing not over 1,600,000,000 cigarettes a year, and, after that point is passed, to impose a graduated tax, rising in rate as the quantity increases, until it becomes impossible for a company to monopolize the cigarette market. So also similar provisions of this amendment relate to snuff and little cigars and large cigarettes. The design is not simply to kill the great companies that now dominate and threaten the market, but it is to enable the struggling companies making ten, fifteen, or twenty million pounds of tobacco a year to live. As it is now, they will not be able to live long. In a few years they will be wiped out; and we will only have four great concerns

owned by the same people, controlled by the same men, and practically just as much a trust as was the original trust which the court declared to be a trust and which it sought to destroy.

So, Mr. President, I think we have the right in this bill while raising additional taxes providing additional revenue that may be needed because of a reduction of customs duties to impose this additional internal-revenue tax only applicable to the great producers or manufacturers who are violators of the spirit of the law at the present time.

I trust that the Finance Committee—and I address myself particularly now to the chairman of the Finance Committee, at whose instance I was persuaded last year not to make a strong fight for my amendment—I particularly urge him at this time to take this amendment under favorable consideration in his committee. It is designed not only to raise some revenue but I believe it is designed to put into real operation the will of Congress for the destruction of monopoly in this particular industry. If it works in this industry, it may work in others also, and certainly the experiment is well worth the trial.

The PRESIDENT pro tempore. The amendment offered by the Senator from Nebraska will be printed and referred to the Committee on Finance.

INVESTIGATION OF ATTEMPTS TO INFLUENCE LEGISLATION.

Mr. OVERMAN. Mr. President, I ask unanimous consent to offer the resolution which I send to the desk, and which I ask may be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT pro tempore. The Senator from North Carolina submits a resolution which will be read.

The resolution (S. Res. 102) was read, as follows:

Resolved, That the expenses of the investigation of the charge of a "lobby being maintained in Washington" ordered by the Senate under resolution May 29, 1913, be paid out of the miscellaneous items of the contingent fund of the Senate upon vouchers to be approved by the chairman of the Committee on the Judiciary or the chairman of the subcommittee thereof.

The PRESIDENT pro tempore. Under the law the resolution automatically goes to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. JONES. That is not a joint resolution, is it?

Mr. OVERMAN. No, sir; not at all.

The PRESIDENT pro tempore. That reference will be made accordingly.

Mr. OVERMAN. Mr. President, in this connection, Senate resolution 92, known as the lobbying-investigation resolution, required the committee conducting the investigation to report within 10 days. Your committee has been holding morning, afternoon, and night sessions, but it will be utterly impossible for it to make a report by next Saturday. Therefore I am requested by the subcommittee conducting the investigation to ask the Senate to extend the time in which it shall make its report.

The PRESIDENT pro tempore. In what parliamentary form does the Senator from North Carolina present the request?

Mr. OVERMAN. That the time be extended in which the committee may make the report.

Mr. SMOOT. How long will it probably take?

Mr. OVERMAN. It may take two or three or four days longer than the time specified in the original resolution. I will make it indefinite, and say that we will report as soon as we can.

The PRESIDENT pro tempore. Does the Senator from North Carolina request unanimous consent that that enlargement of time be granted?

Mr. OVERMAN. Yes.

The PRESIDENT pro tempore. The Senator from North Carolina asks that the time within which the committee now investigating the so-called lobby was required to report may be extended beyond the limitation of 10 days, specified in the resolution. Is there objection?

Mr. JONES. Mr. President, I regret very much to have to object to that request.

Mr. OVERMAN. Then I move that the time be extended.

The PRESIDENT pro tempore. The resolution can not be considered on the day on which it is introduced in the face of objection.

Mr. OVERMAN. The committee will not be able to report within 10 days.

The PRESIDENT pro tempore. The motion is not in order, because the Chair treated the request as in the nature of a resolution, and it will be laid over one day.

Mr. OVERMAN. Then we can not carry out the order of the Senate. It will be impossible.

The PRESIDENT pro tempore. That is for the Senate to determine; it is not for the Chair.

Mr. OVERMAN. Do I understand that the Senator from Washington insists upon his objection?

Mr. JONES. Yes.

Mr. OVERMAN. The committee, then, will exercise its own judgment.

Mr. BRANDEGEE. I rise to a parliamentary inquiry. Would it not be in order at the present time to move to amend that portion of the resolution by which the committee was instructed to report within 10 days?

The PRESIDENT pro tempore. That can only be done by reconsidering the vote by which the resolution was adopted.

Mr. OVERMAN's motion was reduced to the form of a resolution (S. Res. 101), as follows:

Resolved, That the time when the Committee on the Judiciary was instructed to report to the Senate under the terms of Senate resolution 92, agreed to on May 29, 1913, be extended for a period of 10 days or until Wednesday, June 18, 1913.

DECISIONS OF UNITED STATES SUPREME COURT.

Mr. SHAFROTH. I submit a resolution, which I ask may be read and referred.

The resolution (S. Res. 103) was read, as follows:

Resolved, That Senate resolution, adopted on the 20th day of February, 1885, providing for furnishing to Senators pamphlet printed copies of the decisions of the Supreme Court of the United States be, and the same is hereby, annulled.

The PRESIDENT pro tempore. To what committee shall the resolution be referred?

Mr. SHAFROTH. I think the appropriate committee is the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT pro tempore. That would depend altogether on whether or not the expense of furnishing these copies is paid out of the contingent fund of the Senate.

Mr. SHAFROTH. Yes; it is paid out of that fund, and we desire to have the former resolution repealed.

The PRESIDENT pro tempore. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

TUBERCULOSIS CURES.

Mr. BRISTOW submitted the following resolution (S. Res. 104), which was read:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed, if not incompatible with the public interest, to transmit to the Senate such reports as have been made by officers of the United States Bureau of the Public Health and such documentary information as he may have upon the so-called tuberculosis cures.

Mr. BRISTOW. I ask unanimous consent for the immediate consideration of the resolution.

The PRESIDENT pro tempore. The Senator from Kansas asks unanimous consent for the present consideration of the resolution. Is there objection?

Mr. JONES. I shall have to object.

The PRESIDENT pro tempore. The Senator from Washington objects, and the resolution will go over.

ST. LOUIS & SAN FRANCISCO RAILROAD CO.

Mr. KENYON submitted the following resolution (S. Res. 105), which was read:

Resolved, That the Interstate Commerce Commission investigate, if it has not the evidence on hand, and report to the Senate all the facts and circumstances concerning the purchase of the Chicago & Eastern Illinois Railroad by the St. Louis & San Francisco Railroad Co., and the subsequent receivership of both railroads, such information to contain the amount paid per share for both common and preferred stock of the Chicago & Eastern Illinois Railroad by the St. Louis & San Francisco Railroad Co.; the time of the issuance of such stock and the amount thereof; guaranties, if any, made with reference thereto; amount of the bonds issued by the St. Louis & San Francisco Railroad Co. at the time of the purchase of the said Chicago & Eastern Illinois Railroad; the location of the holders of said bonds; the amount of the same held in this country and abroad; and all the facts and circumstances involved in any way in the transactions between said railroad companies; and all the facts and circumstances leading up to said receiverships, and the progress of said receiverships to date; also the names and the capitalization and bond issues of all railroad and bridge companies controlled by said St. Louis & San Francisco Railroad Co.; the time of such acquisitions, how acquired, amount of bonds issued at the time of such acquisition, and all facts or circumstances involved in such purchase or control.

Mr. KENYON. I ask unanimous consent for the present consideration of the resolution.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent for the present consideration of the resolution. Is there objection?

Mr. JONES. Mr. President, I shall have to ask that the resolution go over.

The PRESIDENT pro tempore. The Senator from Washington objects, and, under the rule, the resolution will lie over for one day.

COMMITTEE SERVICE.

On motion of Mr. KERN, it was

Ordered, That JAMES HAMILTON LEWIS, Senator from Illinois, be appointed as a member of the Committee on Interstate Commerce in place of Senator KERN, who has resigned therefrom; also a member of the Committee on Pacific Islands and Porto Rico in place of Senator THORNTON, who has resigned therefrom; also a member of the Committee on Printing in place of Senator HITCHCOCK, who has resigned therefrom; also a member of the Committee on Manufactures in place of Senator SAULSBURY, resigned; also a member of the Committee on National Banks in place of Senator CHAMBERLAIN, resigned; and also a member of the Committee on Railroads in place of Senator CLARKE of Arkansas, resigned.

PROPOSED INTRODUCTION OF A BILL.

Mr. THOMAS. I ask leave to introduce a bill to provide for the appointment of an additional district judge in and for the judicial district of the State of Colorado.

The PRESIDENT pro tempore. The Senator from Colorado, out of order, asks unanimous consent to introduce a bill at this time. Is there objection?

Mr. JONES. I shall have to ask that the bill go over.

The PRESIDENT pro tempore. Objection is made, and the bill will lie over.

EXTRA CLERK FOR SENIOR SENATOR FROM WASHINGTON.

Mr. KENYON. I submit the following resolution, which I ask may be read. I should like to have immediate consideration, if there is no objection to it.

The PRESIDENT pro tempore. The resolution will be read. The resolution (S. Res. 106) was read, as follows:

Resolved, That the Senator from Washington [Mr. JONES] be allowed an extra clerk at \$1,200 per year.

Mr. JONES. Mr. President, even if the statute did not require the resolution to go to the committee I should object to it, because there are fifteen or twenty other Senators who are in the same position with me.

The PRESIDENT pro tempore. The resolution on its face does not provide that the expense of the clerk shall be paid from the contingent fund of the Senate; otherwise it would be automatically referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. JONES. That would not relieve the situation at all. I must object, Mr. President.

The PRESIDENT pro tempore. Objection being made, the resolution will go over. If there are no further concurrent or other resolutions, no resolution coming over from a former day, the calendar under Rule VIII is now in order.

EXECUTIVE SESSION.

Mr. BACON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 43 minutes spent in executive session the doors were reopened, and (at 3 o'clock and 38 minutes p. m.) the Senate adjourned until to-morrow, Friday, June 6, 1913, at 2 o'clock p. m.

NOMINATIONS.

Executive nominations received by the Senate June 5, 1913.

COLLECTOR OF INTERNAL REVENUE.

Josh T. Griffith, of Kentucky, to be collector of internal revenue for the second district of Kentucky, in place of Lawson Reno, superseded.

UNITED STATES ATTORNEYS.

J. Virgil Bourland, of Arkansas, to be United States attorney, western district of Arkansas, vice John I. Worthington, whose term has expired.

Herbert S. Phillips, of Florida, to be United States attorney, southern district of Florida, vice Richard P. Marks, appointed by court.

J. Warren Davis, of New Jersey, to be United States attorney for the district of New Jersey, vice John B. Vreeland, whose term has expired.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

Maj. Carl Reichmann, Infantry, unassigned, to be lieutenant colonel from May 29, 1913, vice Lieut. Col. Willson Y. Stamper, Second Infantry, retired from active service May 28, 1913.

Capt. Thomas F. Schley, Infantry, unassigned, to be major from May 29, 1913, vice Maj. Carl Reichmann, unassigned, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 5, 1913.

COMMISSIONER OF THE GENERAL LAND OFFICE.

Clay Tallman to be Commissioner of the General Land Office.

CONSUL GENERAL.

Evan E. Young to be consul general of the United States of America at Halifax, Nova Scotia, Canada.

CONSUL.

William H. Robertson to be consul of the United States of America at Manchester, England.

NAVAL OFFICER OF CUSTOMS.

William M. Croll to be naval officer of customs in the district of Philadelphia, Pa.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

To be third lieutenant.

Cadet Fletcher Webster Brown.

Cadet Henry Montgomery Carr.

Cadet Henry Coyle.

Cadet Robert Donohue.

Cadet James Alexander Frost, jr.

Cadet Frank Joseph Gorman.

Cadet Lloyd Vineyard Kielhorn.

Cadet Gordon Whiting MacLane.

Cadet Earl Griffith Rose.

Cadet Edward Hanson Smith.

Cadet Elmer Fowler Stone.

Cadet Carl Christian von Paulsen.

Cadet John Elliot Whitbeck.

PROMOTIONS IN THE NAVY.

Second Lieut. Alfred McC. Robbins to be a first lieutenant in the Marine Corps.

To be assistant surgeons in the Medical Reserve Corps of the Navy:

Thomas C. Pounds.

Jesse B. Helm.

John W. Bovee.

Charles I. Griffith.

Albert T. Weston.

UNITED STATES CIRCUIT JUDGES.

George Hutchins Bingham to be United States circuit judge for the first judicial circuit.

Charles A. Woods to be United States circuit judge for the fourth judicial circuit.

UNITED STATES MARSHAL.

Emmet R. Jordan to be United States marshal for the District of Alaska, division No. 2.

MEMBERS OF THE EXECUTIVE COUNCIL OF PORTO RICO.

Tulio Larrinaga.

Luis Sanchez Morales.

POSTMASTERS.

ARKANSAS.

C. A. Berry, Huttig.

A. W. Cammack, Portland.

J. F. Gillespie, Carlisle.

D. B. Thompson, Hope.

CONNECTICUT.

William I. Austin, Noroton Heights.

John J. Bohl, Stamford.

W. S. Clark, Milford.

Thomas McGrath, Washington.

Harry W. Potter, Glastonbury.

Ashmun P. Prickett, Hazardville.

Peter J. Prior, Plainville.

Allen W. Rathbun, Noank.

FLORIDA.

Florida E. Gay, Lynn Haven.

J. N. Willis, Williston.

GEORGIA.

W. H. Beddingfield, Unadilla.

R. H. Dunlap, Chipley.

Ralph E. McKnight, Senoia.

Carrie B. Padgett, Glennville.

L. J. Pritchard, Tennille.

Robert L. Stephenson, Royston.

IDAHO.

Franklin A. Miller, St. Anthony.

L. A. Wisener, Grangeville.

ILLINOIS.

E. F. Bieser, Nashville.
 John D. Brady, Buda.
 E. E. Burton, Newton.
 John C. Crawford, Jonesboro.
 Thomas J. Cunningham, Taylorville.
 William B. Davis, Mount Sterling.
 William Foran, Sorento.
 Henry Gilbert, Ashley.
 E. P. Kimball, Virden.
 C. M. Lewis, Bridgeport.
 W. F. Lutyen, Flanagan.
 William McNeill, Prophetstown.
 John R. McWhorter, North Crystal Lake.
 A. E. Martin, Benton.
 J. W. Payne, Lamolille.
 Robert L. Rich, Cobden.
 Henry S. Rolwing, Thebes.
 Daniel Du Russell, Trenton.
 T. N. Sutton, Mason City.
 Charles H. Ware, Barry.
 Lewis A. Westbrook, Creal Springs.

IOWA.

Charles H. Woodward, Gowrie.

LOUISIANA.

Ulysses J. Barrios, Lockport.
 Hattie M. Cooke, Washington.
 Tina Collins, Bastrop.
 Gaston Gonsoulin, Patterson.
 B. H. Miller, Clarks.
 William C. Stewart, Longville.

MASSACHUSETTS.

Jesse W. Crowell, South Yarmouth.

MICHIGAN.

Frank D. Baker, Flint.
 C. D. Downing, St. Charles.
 William Grant, Coloma.
 Berend Kamps, Zeeland.
 Russell A. Lee, Harbor Springs.

MISSISSIPPI.

Walter L. Bourland, Amory.
 William G. Edwards, Enterprise.
 T. M. Fuller, Hattiesburg.
 Monroe L. Lott, Sumrall.
 Charles W. McKeithen, Woodville.
 Minnie L. Rees, Purvis.
 L. W. Smith, Shubuta.
 Charlie P. Wadley, Tunica.

NEW JERSEY.

James J. Davidson, Swedesboro.
 Harrison C. Hurley, Asbury Park.
 Harry M. Knight, Camden.
 Charles McCue, Lakewood.

NEW MEXICO.

Howard S. Boise, Harley.
 A. B. Wagner, Clovis.

NEW YORK.

Samuel F. Andrews, Homer.
 Edward Blackwell, Pearl River.
 Fred J. Dunham, Montour Falls.
 Arthur B. Dewey, Tully.
 G. R. Paul Engert, Dobbs Ferry.
 Harry M. Fisher, Nanuet.
 Alphonzo E. Fitch, Cazenovia.
 John J. Glynn, Valatie.
 William H. Harding, Roscoe.
 Willis H. Hawkins, Bellport.
 James Hogan, Marcellus.
 Robert B. Irwin, Nichols.
 J. Marvin Lotridge, Cincinnati.
 William E. McDonell, Alexandria Bay.
 Herbert McMullen, Marlboro.
 Delbert M. O'Brien, Fayetteville.
 Morris J. O'Neill, Centerville Station.
 Frederick W. Piotrow, Hamilton.
 Charles Ray, Barker.
 Clarence A. Talbot, Edmeston.
 Albert B. Taylor, Hunter.
 James M. Tuohey, Medina.
 Miles G. Wellman, Youngstown.
 William F. Wild, Lindenhurst.

NORTH CAROLINA.

W. T. Chambers, Madison.
 G. H. Currie, Clarkton.
 D. D. French, Lumberton.
 E. T. Lee, Dunn.
 Andrew Lewis Pendleton, Elizabeth City.
 R. J. Lewellyn, Elkin.
 Leonidas M. Michaux, Goldsboro.
 John B. Petteway, Jacksonville.
 C. W. Whitehurst, Beaufort.

NORTH DAKOTA.

Robert Hunke, Richardton.
 John Robertson, Willow City.
 William Strehlow, Casselton.

OREGON.

Archie F. Eaton, Sheridan.
 R. L. Guiss, Woodburn.
 John Larkin, Newberg.
 O. J. Skiff, Union.
 Guy E. Tex, Central Point.
 Lewis Ulrich, Jacksonville.
 Ben Weathers, Enterprise.
 Mamie Winters, Burns.

PENNSYLVANIA.

Earl L. Anderson, Parnassus.
 Arthur E. Brown, Osceola Mills.
 Margaret W. Buchanan, Scalp Level.
 Fletcher C. George, Lilly.
 John S. Leiby, Newport.
 Edward Raker, Shamokin.
 W. H. Strauss, Johnstown.

SOUTH CAROLINA.

E. C. Bethen, Latta.
 James A. Cannon, Fountain Inn.
 Pearle H. Padget, Saluda.

SOUTH DAKOTA.

Henry B. Baer, Bowdle.
 D. J. Delaney, Custer.
 Stephen Jones, Canton.
 Albert Lewis, Conde.
 J. B. Lundy, Mellette.
 M. E. McCormick, Tyndall.
 Carl Oldewurtel, Freeman.
 W. M. Walters, Fairfax.
 Charles L. Wohlheter, White.

TENNESSEE.

A. B. Cook, Woodbury.

TEXAS.

Pope Allen, Valley Mills.
 E. B. Barnes, Snyder.
 William C. Boyett, College Station.
 Minnie Burke, Blossom.
 P. H. Clements, Goldthwaite.
 C. S. Davis, Ranger.
 J. J. Erwin, Ballinger.
 M. Ezell, Timpson.
 W. D. Foster, Miles.
 Sam K. Hailey, Conroe.
 John M. Hembree, Cross Plains.
 William E. Jenkins, Smithville.
 W. J. Lamb, Mabank.
 S. S. McClendon, Tyler.
 R. K. McCleskey, Rule.
 P. B. McNatt, Arlington.
 C. E. Maxwell, Strawn.
 B. F. Mitchell, Gainesville.
 John W. Person, Colorado.
 Shaw D. Ray, Winnsboro.
 S. P. Robbins, Lubbock.
 J. Wiley Taylor, Midland.
 Shadrac S. Tullos, Grand Prairie.
 Young C. White, Hamlin.

VIRGINIA.

R. Henry Cobb, Franklin.
 George E. Cunningham, Buena Vista.
 W. E. Hailey, Keysville.
 H. Lester Hooker, Stuart.
 William F. Kennedy, Kenbridge.
 J. S. Lauck, Shenandoah.
 J. F. Lowman, Hot Springs.

Charles F. Russell, Herndon.
Sadie A. Southall, Amelia Court House.
E. L. Toone, Boynton.
W. W. Tuck, Virgilina.

WITHDRAWALS.

Executive nominations withdrawn from the Senate June 5, 1913.

COLLECTOR OF CUSTOMS.

Joseph B. Russell, of Massachusetts, to be collector of customs for the district of Boston and Charlestown, in the State of Massachusetts, sent to the Senate on May 29, 1913.

The nomination is withdrawn for the reason that Mr. Russell declines the appointment.

POSTMASTERS.

KANSAS.

A. E. Jacques to be postmaster at Wichita, in the State of Kansas.

VERMONT.

James McGovern to be postmaster at North Bennington, in the State of Vermont.

WYOMING.

J. R. Baird to be postmaster at Powell, in the State of Wyoming.

SENATE.

FRIDAY, June 6, 1913.

The Senate met at 2 o'clock p. m.

Prayer by the Chaplain, Rev. Forrest J. Prettyman, D. D.

THE JOURNAL.

The PRESIDENT pro tempore. The Secretary will read the Journal of the proceedings of the preceding session.

Mr. JONES. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Washington suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

| | | | |
|--------------|---------------|----------------|--------------|
| Ashurst | Fletcher | Martin, Va. | Smith, Ariz. |
| Bacon | Gronna | Martine, N. J. | Smith, Ga. |
| Bradley | Hitchcock | Nelson | Smith, S. C. |
| Brady | Hollis | Norris | Smoot |
| Brandeggee | Hughes | O'Gorman | Stephenson |
| Bristow | James | Oliver | Sterling |
| Burton | Johnson, Me. | Owen | Swanson |
| Catron | Johnson, Ala. | Perkins | Thompson |
| Chamberlain | Jones | Pomerene | Townsend |
| Clapp | Kenyon | Reed | Vardaman |
| Clark, Wyo. | Kern | Saulsbury | Walsh |
| Clarke, Ark. | La Follette | Shafroth | Williams |
| Crawford | Lane | Sheppard | Works |
| Cummins | Lea | Shields | |
| Dillingham | Lippitt | Shively | |

Mr. DILLINGHAM. I desire to announce that my colleague [Mr. PAGE] is in attendance before a committee of the Senate this afternoon, and is unable to be present.

Mr. KENYON. I was requested to announce that the senior Senator from Illinois [Mr. SHERMAN] is detained from the Chamber on account of sickness. This announcement will stand for the day.

Mr. MARTIN of Virginia. The senior Senator from Maryland [Mr. SMITH] is detained on official business of the Senate as a member of the Board of Visitors to the Naval Academy at Annapolis.

Mr. TOWNSEND. The senior Senator from Michigan [Mr. SMITH] is absent from the Senate on important business. I desire that this announcement may stand for the day. He is paired with the junior Senator from Missouri [Mr. REED].

Mr. CLARK of Wyoming. My colleague [Mr. WARREN] is absent on account of business of the Senate.

Mr. JOHNSTON of Alabama. I wish to state that my colleague [Mr. BANKHEAD] is necessarily detained by reason of sickness in his family.

The PRESIDENT pro tempore. Fifty-nine Senators have answered to their names. A quorum of the Senate is present. The Secretary will read the Journal of yesterday's proceedings.

Mr. FLETCHER. I ask unanimous consent that the reading of the Journal be dispensed with.

The PRESIDENT pro tempore. The Senator from Florida asks unanimous consent that the reading of the Journal be dispensed with. Is there objection?

Mr. JONES. I object.

The PRESIDENT pro tempore. The Senator from Washington objects, and the Secretary will proceed to read the Journal.

The Journal of yesterday's proceedings was read and approved.

PETITIONS AND MEMORIALS.

Mr. FLETCHER presented a memorial of the Central Trades and Labor Assembly of Tampa, Fla., remonstrating against the importation of cigars free of duty from the Philippine Islands, which was referred to the Committee on Finance.

Mr. PERKINS presented a memorial of sundry citizens of Fresno, Cal., remonstrating against the enactment of legislation compelling the observance of Sunday as a day of rest in the District of Columbia, which was referred to the Committee on the District of Columbia.

He also presented a memorial of sundry citizens of Placerville, Cal., remonstrating against the establishment of a national department of public health, which was referred to the Committee on Public Health and National Quarantine.

Mr. McCUMBER presented a memorial of sundry citizens of Perth, N. Dak., remonstrating against the transfer of the control of the national forests to the several States, which was referred to the Committee on the Conservation of National Resources.

Mr. KENYON (for Mr. SHERMAN) presented resolutions adopted by the Rural Letter Carriers' Association of Jasper County, Ill., favoring certain changes in the postal service, which were referred to the Committee on Post Offices and Post Roads.

INTRODUCTION OF BILLS.

Mr. MARTINE of New Jersey. I desire to introduce a bill for proper reference.

The PRESIDENT pro tempore. The Senator from New Jersey will withhold it for the present. Bills were presented yesterday and under objection laid over until to-day. Under the rule they will be submitted to the Senate and read the first time.

The SECRETARY. By Mr. NELSON, a bill (S. 2440) providing for the erection of a suitable monument on the grave of Maj. Gen. Henry W. Lawton in Arlington National Cemetery, in the State of Virginia.

The PRESIDENT pro tempore. Unless there is objection, the bill will be considered as read the second time and referred to the Committee on the Library.

Mr. JONES. Is the reading merely of the title considered as a reading of the bill?

The PRESIDENT pro tempore. It is.

Mr. JONES. I ask that the bill be read.

The PRESIDENT pro tempore. The bill will be read at length if the Senate so determines.

Mr. JONES. I ask for the first reading of the bill at length.

The PRESIDENT pro tempore. That question will be submitted to the Senate. Those in favor of having the bill read at length will say "aye."

Mr. JONES. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Washington suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

| | | | |
|--------------|---------------|----------------|--------------|
| Ashurst | Fletcher | Martine, N. J. | Smith, Ga. |
| Bacon | Gronna | Nelson | Smith, S. C. |
| Bradley | Hitchcock | Norris | Smoot |
| Brady | Hughes | Oliver | Stephenson |
| Brandeggee | James | Perkins | Sterling |
| Bristow | Johnson, Me. | Ransdell | Stone |
| Burton | Johnson, Ala. | Reed | Swanson |
| Catron | Jones | Saulsbury | Thomas |
| Chamberlain | Kenyon | Shafroth | Thompson |
| Clapp | La Follette | Sheppard | Thornton |
| Clark, Wyo. | Lane | Shields | Vardaman |
| Clarke, Ark. | Lea | Shively | Walsh |
| Crawford | Lewis | Simmons | Williams |
| Cummins | Martin, Va. | Smith, Ariz. | Works |

Mr. SHEPPARD. My colleague, the senior Senator from Texas [Mr. CULBERSON], is necessarily absent. He is paired with the Senator from Delaware [Mr. DU PONT]. I will let this announcement stand for the day.

The PRESIDENT pro tempore. Fifty-six Senators having answered to their names, a quorum of the Senate is present.

The Senator from Washington [Mr. JONES] has demanded that the bill introduced by the Senator from Minnesota [Mr. NELSON] be read in full. It is the opinion of the Chair that the requirement of the second clause of Rule XIV will be satisfied by reading the bill by title. Of course, that ruling of the Chair may be modified and changed by the action of the Senate upon application in the proper form. The Chair is somewhat familiar with the decisions of the courts on similar